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9. [] Accompanied the Director who called on Chairman James O. Eastland, Senate Judiciary Committee, regarding S. 782 (Ervin bill). The Director explained our problems with Senator Ervin's request that the transcript of our hearing before the Subcommittee on Constitutional Rights be sanitized for publication, and our desire to obtain exemption from certain provisions of the bill. Senator Eastland agreed that the transcript should not be published, and said he understood our problems with certain provisions of the bill. He said he was at a loss to explain Senator Ervin's attitude in the matter. Senator Eastland suggested that we might contact Senators McClellan, Bayh, Hruska, Thurmond, Dirksen and Russell.

After our meeting with Senator Eastland, the Director instructed that I draft a letter explaining to Senator Ervin our reasons for finding it impossible to agree to publication of any version of the transcript and check this draft with Senator Bayh.

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10. [] Larry Conrad, Chief Counsel, Senate Subcommittee on Constitutional Amendments of the Judiciary Committee, (Senator Bayh is Chairman) called to say that he was working in Senator Bayh's behalf in connection with our problems on the Ervin bill. He explained that he had just talked with Marcia MacNaughton, of Senator Ervin's Subcommittee on Constitutional Rights, who had commented that the Ervin Subcommittee was meeting on Wednesday, 6 August, and wanted to report the bill out as soon as possible. She asked Conrad to try to work out a "limited exemption" for the Agency and NSA for consideration at the 6 August meeting.

Conrad expressed considerable concern over the fact that copies of the transcript of our 22 July hearing, although classified "confidential", were being freely disseminated among the Subcommittee members and staff officers with no security controls whatsoever.

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11. [] Called Chairman David Henderson, House Subcommittee on Manpower and Civil Service of Post Office and Civil Service Committee, and explained to him our problems with the Ervin bill and the terms we had in mind for a suggested limited exemption as requested by Larry Conrad (see above). Henderson said he thought we would have trouble with an exemption from a provision for the right of counsel for aggrieved employees, since Ervin was under heavy pressure from employee organizations in this connection. Henderson fully agreed we should strive for an exemption from the provisions giving aggrieved employees immediate access to Federal courts. He fully endorsed our suggestion that aggrieved employees should have access to administrative remedies.

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